

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

FILED  
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WELLESLEY LEASING, LLC.

Plaintiff

v.

TELX COMMUNICATIONS

CORPORATION,

Defendant

CASE NO. 04-11814-WGY

U.S. DISTRICT COURT  
DISTRICT OF MASS

**REQUEST FOR DEFAULT JUDGMENT UPON ASSESSMENT OF DAMAGES**

(pursuant to Fed. R. Civ. P. 55 (b))

I, Richard J. O'Brien, attorney for the above-named Plaintiff, Wellesley Leasing, LLC, state as follows:

1. The complaint in which the Judgment is sought against the Defendant, Telx Communications Corporation, was filed on August 19, 2004, and the summons and a copy of the complaint were served on the Defendant on September 23, 2004, as appears from the officer's return.
2. On December 22, 2004 this Court entered a Default against the Defendant for failure to serve or file an answer, or otherwise defend as to the complaint, under Fed. R. Civil Pro. 12.
3. The Plaintiff respectfully requests that the Court enter Judgment after default against the Defendant, and further make an assessment of the damages experienced by the Plaintiff, based upon the attached affidavit of Arthur P. Beecher, it's President
4. The amount of damages experienced by the Plaintiff, exclusive of costs, is \$

124,501.08, plus interest at the rate of 12 % (in accordance with the terms of the Note) of \$ 49, 800.43 accruing since the Defendant's default on October 1, 2001, in accordance with the affidavit of Mr. Beecher, and based upon the Promissory Note given by the Defendant to the Plaintiff dated April 30, 2001.

WHEREFORE, the Plaintiff, Wellesley Leasing, LLC, requests that default judgment be entered against the Defendant, Telx Communications Corporation, and it be assessed its damages. In support of this Motion, the Plaintiff submits the affidavit of its President, Arthur P. Beecher.

Signed under the penalties of perjury.

WELLESLEY LEASING, LLC.

By: 

Its Attorney  
Richard J. O'Brien, Esquire  
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Dated: March11, 2005